

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

NANCY L. HAZELRIG,

Plaintiff,

vs.

HANCEVILLE NURSING
AND REHABILITATION CENTER,

Defendants.

Case No. 5:07-cv-2088-TMP

ORDER

The court has for consideration the Report and Recommendation of Magistrate Judge T. Michael Putnam, filed on September 16, 2008, wherein he recommends that the defendant's motion to compel arbitration (court document #5) be denied as premature, and plaintiffs' motion to deny arbitration (court document #10) be granted to the extent that arbitration is not due to be compelled at this time.

Having considered the recommendation of the Magistrate Judge, and there having been no objections filed thereto, the court hereby ACCEPTS and ADOPTS the recommendation of the Magistrate Judge. Accordingly, the motion to compel arbitration (court document #5) is hereby DENIED and the plaintiff's motion to deny arbitration (court document #10) is GRANTED. The issue of arbitration may be revisited once any conditions precedent to the provision have been met.

The case remains assigned to the magistrate judge for further proceedings.

DONE the 30th day of September, 2008.


UNITED STATES DISTRICT JUDGE